

**DEPARTMENT OF JUSTICE  
GAMBLING CONTROL DIVISION**

**LIVE KENO/BINGO APPLICATION**

DEPARTMENT OF JUSTICE  
GAMBLING CONTROL DIVISION  
2550 PROSPECT AVENUE  
PO BOX 201424  
HELENA, MT 59620-1424  
PHONE: (406) 444-1971  
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OFFICE USE ONLY

CHECK NO. \_\_\_\_\_

CHECK AMOUNT \_\_\_\_\_

REFUND \_\_\_\_\_

**\$250.00 LICENSE FEE PER PREMISE**

To obtain a complete copy of the rules and statutes, visit our Web Site at [www.doj.mt.gov](http://www.doj.mt.gov) or send \$10.00 by check only, made out to the "Gambling Control Division", to the address shown on this form.

Pursuant to Mont. Code Ann. § 23-5-407(1) A person who has been granted an operator's license may be granted an annual permit by the department to conduct live bingo or keno games on specified premises. The permit expires June 30 of each year.

**AN IMPROPERLY OR INCOMPLETE APPLICATION WILL BE RETURNED**

"Type or Print Legibly using Ink"

OPERATOR NUMBER

LIQUOR LICENSE NUMBER (12 Digits)

ESTABLISHMENT PHONE NUMBER

Provide mailing address: ☐ Check if changed

ESTABLISHMENT NAME

OPERATOR: HOLDER OF OPERATOR LICENSE

FEDERAL TAX I. D. NO.

WHICH GAMES ARE YOU LICENSING?

KENO and/or BINGO

IS THE ESTABLISHMENT IN AN INCORPORATED CITY?

YES, City limits of \_\_\_\_\_

ARE YOU AN EXEMPT LOCATION?

YES NO

NO, in County of \_\_\_\_\_

IF YOUR ORGANIZATION IS EXEMPT UNDER 26 U.S.C. 501 (c) (3), (c) (4), (c) (8), OR (c) (19).  
PROVIDE A COPY OF THE IRS EXEMPTION.  
IF EXEMPT UNDER THIS SECTION, NO FEE IS REQUIRED.

**I CERTIFY THAT THIS INFORMATION IS TRUE AND CORRECT**

**SIGNATURE OF LICENSEE/ OFFICER**

**PRINT NAME OF PERSON SIGNING**

**DATE**

## SELECTED MONTANA CODE ANNOTATED AND ADMINISTRATIVE RULE EXCERPTS

(To obtain a complete copy of the rules and statutes, send \$10.00 by check only, made out to "Gambling Control Division", to the address shown on this form.)

**Mont. Code Ann. § 23-5-405.** Authorized live bingo, keno, and raffles. (1) A person may conduct or participate in a live bingo and keno game or raffle only if it is operated pursuant to this part. (2) This part does not apply to a game simulated on a video gambling machine authorized by part 6 of this chapter.

**Mont. Code Ann. § 23-5-406.** Exempt charitable organizations and facilities.

- (1) (a) An organization granted an exemption under 26 U.S.C. 501(c)(3), (c)(4), (c)(8), or (c)(19):
  - (i) on or before January 15, 1989, is exempt from taxation and the permit fee imposed by this part;
  - (ii) after January 15, 1989, is exempt from taxation and one-half the permit fee imposed by this part if the organization carries on gambling activities for no more than 60 days a calendar year.
- (b) An organization provided for in subsection (1)(a) shall:
  - (i) limit its live bingo and keno activities to its main premises or place of operations and to events at other places operated by other charitable organizations or by a government unit or entity;
  - (ii) comply with other statutes and rules relating to the operation of live bingo and keno; and
  - (iii) apply to the department for a permit to conduct charitable live bingo or keno games.
- (2) A long-term care facility, as defined in 50-5-101, or a retirement home, as defined in subsection (4) of this section, that has obtained an operator's license and a permit from the department to operate live bingo or keno is exempt from taxation and the permit fee imposed by this part if the facility:
  - (a) limits participation in live bingo and keno games to persons using the facility and their guests;
  - (b) limits live bingo or keno activities to its main premises or place of operation; and
  - (c) complies with other statutes and rules relating to the operation of live bingo and keno.
- (3) The department may revoke or suspend the permit of an organization or a facility provided for in subsection (1) or (2) if, after investigation, the department determines that the organization or facility is operating or has contracted with a nonqualified organization that is operating live bingo or keno in a predominantly commercial manner.
- (4) For purposes of this section, "retirement home" means a building in which sleeping rooms without cooking facilities in each room are rented to three or more persons who are 60 years of age or older and who do not need skilled nursing care, intermediate nursing care, or personal nursing care, as defined in 50-5-101.

**Mont. Code Ann. § 23-5-407.** Live bingo or keno permit -- fees -- disposition of fees.

- (1) A person who has been granted an operator's license may be granted an annual permit by the department to conduct live bingo or keno games on specified premises. The permit expires June 30 of each year.
- (2) The permit fee for each premises in which a live bingo or keno game is conducted is \$250.
- (3) The department shall retain the permit fee for administrative purposes.

**Mont. Code Ann. § 23-5-408.** Hours of play -- restrictions. A live bingo or keno game must be closed for play between the hours of 2 a.m. and 8 a.m. of each day. However, in the jurisdiction of a local government where a game is played, the local government may adopt an ordinance allowing play between 2 a.m. and 8 a.m.

**Mont. Code Ann. § 23-5-409.** Bingo and keno tax -- records -- distribution -- statement and payment.

- (1) A licensee who has received a permit to operate bingo or keno games shall pay to the department a tax of 1% of the gross proceeds from the operation of each live bingo and keno game operated on his premises.
- (2) A licensee shall keep a record of gross proceeds in the form the department requires. At all times during the business hours of the licensee the records must be available for inspection by the department.
- (3) A licensee shall annually complete and deliver to the department a statement showing the total gross proceeds for each live keno or bingo game operated by him and the total amount due as live bingo or keno tax for the preceding year. This statement must contain any other relevant information required by the department.
- (4) The department shall forward the tax collected under subsection (3) to the treasurer of the county or the clerk, finance officer, or treasurer of the city or town in which the licensed game is located for deposit to the county or municipal treasury. A county is not entitled to proceeds from taxes on live bingo or keno games located in incorporated cities and towns within the county. The tax collected under subsection (3) is statutorily appropriated to the department, as provided in 17-7-502, for deposit to the county or municipal treasury.

**Mont. Code Ann. § 23-5-410.** Exemption from certain sections. A senior citizen center is exempt from 23-5-407 and 23-5-409 with respect to live bingo games if the center:

- (1) limits participation in live bingo games to its members and members' guests;
- (2) limits live bingo games to its main premises or place of operation; and
- (3) does not operate live bingo games in a predominantly commercial manner.

**Mont. Code Ann. § 23-5-412.** Card prices and prizes -- exception.

- (1) Except as provided in subsection (3)
  - (a) the price for an individual bingo or keno card may not exceed 50 cents;
  - (b) a prize may not exceed the value of \$100 for each individual bingo game or keno card; and
  - (c) it is unlawful to, in any manner, combine any bingo or keno games so as to increase the ultimate value of the prize.
- (2) Bingo and keno prizes may be paid in either tangible personal property or cash.
- (3) A variation of the game of keno, as approved by the department, in which a player selects three or more numbers and places a wager on various combinations of the numbers is permissible if:
  - (a) no more than 50 cents is wagered on each combination of numbers; and
  - (b) a winning combination does not pay more than \$100.
- (4) A player may give a keno caller a card with instructions on the card to play that card and its marked numbers for up to the number of successive games that the house allows and that the player has indicated on the card, upon payment of the price per game times the number of successive games indicated. The player shall remain on the house premises until the card is played or withdrawn. The caller shall keep the card until the end of the number of games indicated, and the department may by rule provide that at that time the caller shall pay the player any prizes won.
- (5) If a licensed operator conducts a promotional game of chance involving bingo or keno, the prize limit provided for in subsection (1) applies to prizes awarded as a result of the promotional game of chance.

**Mont. Code Ann. § 23-5-414.** Restrictions on bingo and keno. In the playing of live bingo or keno, a person who is not physically present on the premises where the game is actually conducted may not be allowed to participate as a player in the game.